

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

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In re A. SCOTT BOLDEN

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: **Case No.: 1:23-mc-00040-LKG**

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DECLARATION OF BENJAMIN F. WILSON

I, Benjamin F. Wilson, pursuant to 28 U.S.C. § 1746, hereby declare and state as follows:

1. I am over the age of 18, make this Declaration based on my personal knowledge, and am competent to testify regarding the matters set forth herein.

2. I am currently retired from the practice of law, but immediately prior to my retirement, I was a partner at the national law firm, Beveridge & Diamond, P.C., where I served as Managing Principal, and later Chair, for fourteen years. In my career at Beveridge & Diamond, I represented a range of clients, from major consumer product corporations, retailers, oil and gas companies to municipalities and developers, in numerous complex environmental litigation and regulatory matters. I also served as a Court Appointed Monitor on the Duke Energy Coal Ash Spill and as a Deputy Monitor for environmental issues on the Volkswagen Dieselgate matter.

3. Prior to Beveridge & Diamond, I worked in the Civil Division of the United States Department of Justice, Commercial Litigation Branch, where I gained substantial trial expertise in commercial litigation matters, appearing on behalf of the government in the United States Court of Appeals for the Federal Circuit, the United States Court of Claims, and district courts throughout the United States. In my career at the Department of Justice, I received Special

Achievement Awards in recognition of my performance in 1981 and 1982. I graduated *magna cum laude* and *Phi Beta Kappa* from Dartmouth (A.B., History 1973) and received my law degree from Harvard Law School in 1976.

4. Though retired from the practice of law, I currently dedicate my efforts to Board service and service to the Bar, including supporting the professional development of African-American attorneys. I am currently the Vice Chair of the District of Columbia Judicial Nominating Committee, which nominates judges for the Superior Court and Court of Appeals for the District of Columbia. I also serve on the Board of the District of Columbia Bar Foundation which raises money to support organizations who provide legal services to the indigent. I serve on the Board of APCO Worldwide, a woman-owned consulting firm, Northwestern Mutual Life Insurance Company, and the Pacific Gas & Electric Corporation. I am also on the Board of the Leadership Council on Legal Diversity (LCLD), where I served as Secretary. For the past six years, I served as Chair of the Board of Directors of the Environmental Law Institute. For the past 30 years, I have been the Chair of the Environmental, Energy, and Public Utilities Law Section of the National Bar Association. From 1990 to 2004, I served as Chairman of the Board of Elections and Ethics of the District of Columbia.

5. Together, with A. Scott Bolden and others, we established the African American General Counsel and Managing Partner Networks in 2012 and founded the Diverse Lawyers Network in 2008. Scott is a two-time managing partner of the Washington, D.C. Office of Reed Smith. My leadership efforts around promoting diversity in the law have been recognized by a number of organizations and publications, including the American Bar Association (ABA) Commission on Racial and Ethnic Diversity in the Profession, the Congressional Black Caucus Foundation, the Dartmouth Club of Washington, the Environmental

Law Institute, the National Association of Women Lawyers, the National Black Lawyers, the National Bar Association, the National Law Journal, and, the United Negro College Fund, among others.

6. For 18 years, I have been an Adjunct Professor of Environmental Law at the Howard University School of Law for and co-founded the Howard Energy and Environmental Law Society. I have been a guest lecturer at the law schools of leading universities, including American University, Catholic University, George Washington University, Harvard University, Tulane University, the University of Maryland, the University of Michigan, the University of Washington, and the Washington University in St. Louis.

7. Throughout my professional career, I have actively supported several different organizations. Specifically, I have served as Co-Chair of the ABA's Environmental Justice Committee, a member of the Board of Funds for the Community's Future, a member of the Board of Trustees of Dartmouth College, a member of the Board of Governors of the District of Columbia Bar Association, Chair of the Board of the Dwight A. Mosley Memorial Fund, Chair of the Board of Directors of Healthy Babies, Inc., a member of the Advisory Board of the National Association for Public Interest Law, a member of the National Environmental Justice Advisory Council, a member of the Board of Trustees of the Maryland/DC Chapter of The Nature Conservancy, Chair of the Advisory Board of WAMU public radio, and Co-Chair of the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

8. I have personally known A. Scott Bolden for over 25 years. Scott and I share a number of professional affiliations, having both served in leadership positions for the National Bar Association, Howard University School of Law, Board of Governors of the District of Columbia

Bar, and the District of Columbia Water and Sewer Authority. I am aware that Scott has served for five years on the District Court of the District of Columbia's Committee on Grievances.

9. Professionally, I have always known Scott to be a dedicated and zealous, but scrupulously honest, advocate for his clients. I have always known him to be an upstanding and honorable member of the Bar who has been unfailing in his dedication to honoring his commitments both to the community at large, and the legal community in particular. Scott has been driven to honoring his family's legacy by reflecting the best ideals of his father and mother in both his legal practice and throughout his life.

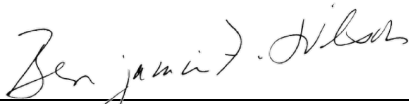
10. From my personal history with Scott, I am unaware of any instance in which he has knowingly violated any directive or command from any court. Nor have I known him to flaunt the Rules of any Court. In my experience, I have known Scott to exhibit only the utmost professional conduct expected from an attorney. Though I do not believe it justifies inappropriate conduct, it is my considered judgment that any deviation from that uprightness and any use of any inappropriate language would only arise in a momentary, unwitting lapse in the midst of a hotly contested matter.

11. I am aware of Scott's comments outside of the Federal courthouse in Baltimore on September 14, 2022. I have spoken to him about his language on that day and know that Scott deeply regrets losing his composure and is genuinely remorseful. His conduct was out of character and is wholly inconsistent with how I have always known him to comport himself. He is humbled and chastened by this episode. This is conduct which I believe he will **never** repeat again. He has enjoyed a remarkable career advocating on behalf of his clients and others who cannot speak for themselves.

I declare under penalty of perjury that the foregoing is true and correct.

2/8/2023

Date


Benjamin F. Wilson